

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

.....  
MICKY FONG,

Petitioner,

-against-

LAWRENCE SEARS,

Respondent.  
.....

Not For Publication  
ORDER

CV-06-5597 (CBA)

AMON, United States District Judge

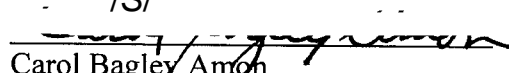
On January 14, 2009, Magistrate Judge James Orenstein filed a Report and Recommendation (R&R) in the above-captioned case recommending that the petition of Micky Fong for habeas corpus be denied. No objections were filed by either party to the R&R.

The Court has conducted a *de novo* review of this petition and adopts the well-reasoned and thorough R&R as the opinion of the Court.

A Certificate of Appealability will not issue since petitioner has failed to make a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2).

SO ORDERED.

Dated: Brooklyn, New York  
May 29, 2009

/S/  
  
Carol Bagley Amon  
United States District Judge